



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

September 10, 2014

Updated

October 15, 2014

(updated information in italics)

Agenda Item: Applications for Type III Certificates of Appropriateness (CA3-14-240) for a variance *to reduce the front yard setback from a minimum of 21.2 feet (required) to 14.5 feet (proposed)* and to allow a front porch configuration that does not meet the compatibility rule and (CA3-14-250) for a front porch addition at **195 Powell Street**– Property is zoned Cabbagetown Landmark District (Subarea 3).

Applicant: Kevin Maher
4300 Paces Ferry Road

Facts: According to the 2002 inventory, this multi-family building was constructed in 1964 and is considered non-contributing.

At the September 10th meeting, this application was deferred to allow the Applicant to submit an additional variance request. At the September 24th meeting, this application was deferred due to a loss in quorum.

Analysis: The following code sections apply to this application:

Per Section 16-20.007

- (a) *When Required, Generally:* In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:
 - (3) *Landmark Districts:*
 - (a) To change the exterior appearance of any structure within any Landmark District;
 - (b) To erect any new structure or to make an addition to any structure within a Landmark District;
 - (c) To demolish or move any structure, in whole or in part, within a Landmark District; or

Per Section 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Per Section 16-20A.005. Certificates of appropriateness.

Certificates of appropriateness within this district shall be required as follows:

- (1) *When required:*
To change the exterior appearance of any portion of a structure within the district
- (2) *Type required:*
 - b) If the proposed alteration for minor façade alterations, fences, walls, accessory structures, decks, paving and satellite dishes meets the requirements of section 16-20A.006, section 16-20A.007, section 16-20A.008, section 16-20A.009, section 16-20A.010, and section 16-20A.011, as applicable, then the director of the commission shall issue the Type II Certificate

Sec. 16-20A.006. General regulations.

The following regulations shall apply to more than one subarea in the Cabbagetown Landmark District, which includes all five (5) subareas. Certificates of Appropriateness required above shall be obtained from the commission or the director, as applicable, in accordance with the following regulations:

- (1) Minimum standards. These regulations constitute the minimum standards that shall be followed and shall be applied by the commission and director.
- (2) The commission shall apply the standards in section 16-20.009 only if the standards set forth elsewhere in this Chapter 20A do not specifically address the application.
- (3) The compatibility rule.
 - a) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front facade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face."
 - b) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
 - c) In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than 10% than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule.
 - d) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."

- (4) *Variances.* Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.
- (9) *Minimum lot requirements.* There shall be front, rear, and side yard setbacks. The distance of said setbacks shall be determined by the compatibility rule.
- (13) *Design standards and criteria for new principal buildings.* The following regulations shall apply to new construction of principal buildings.
- a) *General criteria:*
1. All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.
 2. The general façade organization and proportions shall be subject to the compatibility rule.
 3. All of the following building elements shall be appropriate to the selected house style, regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - a. roofs, chimneys, and roofing materials;
 - b. siding;
 - c. eaves, soffits, brackets, rafter tails, knee braces, cornice returns, and gable returns;
 - d. cornerboards, fascia boards, bottom boards, decorative trim, and attic vents;
 - e. doors and door transoms;
 - f. windows and window transoms;
 - g. porches, including supports, columns, balustrades, steps, and roofs; and
 - h. foundation walls, foundation piers, and water tables.All the elements listed above shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
 4. Sidewalks, front yards, porches, and front doors facing and parallel to the street shall be provided.
- b) *Facades:*
1. Wood, smooth-surface cementitious siding or Masonite siding are permitted. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four-inch reveal and no more than a six-inch reveal.
 2. The height of the first floor above street level shall meet the compatibility rule. The foundation shall be a minimum of fourteen (14) inches and a maximum of four (4) feet above the surface of the ground adjacent to the front façade. Brick, stone, smooth finish stucco, and smooth finish concrete are permitted as foundation facing materials.
 3. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two (2) units, and shall be double-hung wood sash with true divided lights. Window organization and fenestration patterns shall meet the compatibility rule.
 4. Exterior doors visible from any public right of way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
 5. Exterior architectural details, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps and doors, and attic vents, shall be shown on the submitted plans, and shall be subject to the compatibility rule.
- (15) *Alterations and additions to non-contributing buildings.* Alterations and additions to non-contributing buildings shall comply with one of the following:
- a) Alterations and additions shall be consistent with the architectural style of the existing building and the height or width of any alteration or addition shall not exceed the height or width of the existing building, or:
 - b) Alterations and additions shall be representative of a single architectural style chosen from those represented by contributing buildings on the block face where the existing non-contributing building is located, shall comply, as applicable, with Design Standards and Criteria for New Principal Buildings, section 16-20A.006(13), and the height or width of any alteration or addition shall not exceed the height or width of the existing building.

Sec. 16-20A.009. Shotgun and cottage housing (subarea 3).

In addition to the general regulations required in section 16-20A.006, the following regulations shall apply to any new development or the conversion of any existing structures to permitted uses within the shotgun and cottage housing subarea. These regulations are intended to set forth basic standards of architectural design and construction that are consistent with these original house styles found in the Cabbagetown Landmark District. It is the intent of these regulations to foster residential design that incorporates the historic architectural elements and materials that are specific to the district in a meaningful, coherent manner. The following regulations are intended to achieve basic compatibility with these original architectural styles, rather than designs that are a mere aggregation of random historic elements.

- (1) *Shotgun Housing.* Shotgun housing is a style typified by simple structures whose width is no more than that of one (1) room extending from the front to rear of the structure or, in the case of a double shotgun, two rooms wide. This housing type is usually closely spaced and is found most often along Savannah Street and Berean Avenue within this subarea.
- (3) *Permitted principal uses and structures.* A building or premises shall be used only for the following principal purposes:
 - a) Single-family detached dwellings.
 - b) Two-family dwellings existing at the time of the adoption of these regulations. Two-family dwellings, originally built as duplexes, shall be permitted even if the use has lapsed for more than a year.
 - c) Parks, playgrounds, and community buildings owned and operated by a government agency or Cabbagetown-based non-profit community organization.
- (1) *Minimum lot requirements.* In addition to the setback requirements in Section 16-20A.006(9), in no case shall any portion of a building be closer to a public sidewalk than any portion of any contributing building of like use on the block face.
- (2) *Maximum building height and width.* The compatibility rule shall apply.

VARIANCE PETITION ADDENDUM

As a part of our submittal for the Type II Certificate of Appropriateness, we hereby request that the Atlanta Urban Design Commission grant a variance for the following:

Allow individual decks/porches for the individual residential units on each floor instead one continuous deck/porch across the front façade of the building. The compatibility rule, when looking at the structures on the block face, would require the continuous front decks/porches.

for the following reasons:

- (1) What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)?

The existing apartment building, built in 1964, is configured with a central split level entry. There is one residential unit on each side of the central entry on each floor. The main entry door is one-half level off from the first and second levels, and one and one-half level off from the third level.

- (2) How would application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship?

A continuous deck/porch continuous across the front façade of the building would block the main entry door because of the split level entry configuration. A continuous deck on the second level would cross the second floor window and would partially block the window.

- (3) What conditions are peculiar to this particular piece of property?

This residential building is configured with a central split level entry. The finish floor level of the main entry door does not match the finish floor level of the residential units. The main entry door would be blocked by a continuous front deck/porch across the front facade.

- (4) Submit facts to show that relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

We do not believe there are any detriments associated with this variance request. In fact we believe the additions of the decks/porches:

- Bring the 1960's brick apartment building closer to the character of the surrounding structures on the block face by incorporating wood porches with wood columns and wood rails. The new porches would be painted white to match the porches on the block face.
- The new decks/porches move closer to the street and sidewalk, similar to the porches on the block face. This configuration will promote more interaction with the neighborhood.
- The new decks/porches become an outdoor extension of the indoor living space.

Variance Justification Response

The Applicant is proposing a variance to allow the construction of individual porches that do not span the full width of the existing building. In general, Staff finds that Applicant's are allowed to make renovations and additions to existing buildings. The question is whether the addition of porches that meet the regulations would be a hardship. Given the way the current building is configured, Staff finds that having full width porches would not be feasible given the position of the existing windows and main door. Staff finds that the addition of full width porches would block the main entryway and some of the windows.

Staff finds it is not feasible to reconfigure the existing windows and main door. As this is not a historic building, Staff finds the installation of the proposed porches will not create a detriment to the existing building and will not impact any historic fabric. Given the majority of the surrounding properties have porches, Staff finds the addition of porches does not create a public detriment. Given the information we have at this time, Staff does not have a concern with the proposed variance.

Setbacks

Per regulations, allowable setbacks are based on the compatibility rule. In this case, the allowable setbacks would be based on other apartment buildings. The Applicant has not provided any setback information regarding buildings of like use, therefore Staff cannot determine whether the proposed front yard setback meets the regulations. Staff recommends the Applicant provide documentation the proposed setbacks meet the regulations.

As recommended by Staff, the Applicant submitted information regarding the front yard setbacks for buildings of like use. Based on the information submitted, a variance is required for the proposed front yard setback. As the existing building is closer than any other buildings of like use, a variance would be required for any additions to the front façade. As denial of the variance would not allow the Applicant to construct an addition of any size on the front façade, Staff finds the Applicant has proven a hardship. As most of the single family houses on the block face are closer to the street, Staff finds that allowing an addition on the front of the building would be appropriate and consistent with the single-family houses on the block face. Given the information we have at this time, Staff finds approval of the proposed variance is appropriate.

Alterations

For non-contributing house, the regulations allow for alterations to either be consistent with the existing building or consistent with contributing houses on the block face. The Applicant is proposing porches that have a hipped roof with asphalt shingles, wood columns and wood railings. The Applicant is also proposing to replace all of the existing metal windows with new wood single and double doors. As this is a non-contributing building, Staff does not have a concern regarding the destruction of historic fabric.

Staff is concerned the proposed porches and fenestration are a mixture between being consistent with the existing architecture and being consistent with the historic houses on the block face. Staff finds the regulations require the proposed alterations to be one or the other. If the proposed alterations are consistent with the existing architecture, the porch elements should be metal and the fenestration pattern could feature double or single doors and a single or double window. If the proposed alterations are consistent with the historic houses on the block face, the porch elements should be wood and the fenestration pattern could feature a single door and either a single or double window. Staff recommends the proposed porches and fenestration are consistent with the existing architecture or consistent with the historic houses on the block face.

On the front façade, the Applicant is proposing to replace an existing center metal window with a larger vinyl window. While Staff has no concerns regarding the design or size of the window, Staff does have concerns regarding the use of vinyl. Staff recommends the new center window on the front façade is metal or wood. On the side façade, the Applicant is proposing to replace all of the existing metal windows and replace them with vinyl windows. As previously indicated, Staff has concerns regarding the use of vinyl windows. Staff recommends the side façade windows are either wood or metal. The Applicant is proposing to replace the existing wood siding with stucco. Staff finds that stucco is an appropriate accent material for this type of building.

Staff Recommendation: Based upon the following:

- 1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography);
- 2) The application of the Zoning Ordinance of the City of Atlanta to this piece of property does not create an unnecessary hardship;
- 3) There are conditions peculiar to this property;
- 4) Relief if granted would not cause a substantial detriment to the public good;

Staff recommends approval of the Application for a Type III Certificate (CA3-14-240) for a variance to ***reduce the front yard setback from a minimum of 21.2 feet (required) to 14.5 feet (proposed)*** and to allow a front porch configuration that does not meet the compatibility rule at **195 Powell Street**– Property is zoned Cabbagetown Landmark District (Subarea 3).

Staff Recommendation: Based upon the following:

- (a) The plans meet the regulations per Section 16-20A.006 (14) with the exception of the comments above;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-14-250) for a front porch addition at **195 Powell Street**– Property is zoned Cabbagetown Landmark District (Subarea 3), with the following conditions:

1. The proposed porches and fenestration shall be consistent with the existing architecture or consistent with the historic houses on the block face, per Section 16-20A.006(15);
2. The new center window on the front façade shall be metal or wood, per Section 16-20A.006(15);
3. The side façade windows shall be wood or metal per Section 16-20A.006(15); and
4. Staff shall review and if appropriate, approve the final plans.



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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 15, 2014

Agenda Item: Application for Type III Certificate of Appropriateness (CA3-14-269) for a variance for a fence and a deck that do not meet the District regulations at **1047 Oak Street**-Property is zoned R-4A/West End Historic District.

Applicant: Troy and Ashley Merrit
1047 Oak Street

Facts: The property is located on the southeast corner of Oak Street and Culbertson Street. The majority of the lot sits up from the street with Culbertson falling slightly from the front of the lot to the back of the lot. The house is considered contributing to the District.

At some point, the Applicant built a deck and rebuilt a portion of a previously existing 6 ft. tall privacy fence that had been built at some point in the past. The privacy fence, given is solid nature, is considered a wall by the Zoning Ordinance.

Analysis: The following code sections apply to this application:

Per Section 16-20G.005 of the Atlanta Land Development Code, as amended:
The following general regulations shall apply to the West End Historic District.
Sec. 16-20G.005. - General regulations.

- (1) Certificates of Appropriateness: Certificates of appropriateness within this district shall be required as follows:
 - (a) When required:
 - (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (ii) To erect a new structure or to make an addition to any structure within the district, when said addition can be seen from public right-of-way; and
 - (b) Type required:
 - (vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:
 - d. Variances.
- (2) The Compatibility Rule: The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements in question (roof form, architectural trim, etc.) shall match

that which predominates on the contributing buildings of the same block face, or where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

- (3) Variances: The urban design commission shall have the power to hear, grant and deny variances from the provisions of this chapter (20G) when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria, and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 46, which provisions are hereby incorporated herein.

Sec. 16-20G.006. - Specific regulations.

In addition to the general regulations set forth in section 16-20G.005, and any other applicable regulations, the following regulations shall apply to all rehabilitations, new construction, alterations, and other changes:

- (1) Generally: The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvers, walls, fences, and gates.
- (8) Decks: Decks shall be constructed to the rear of the structure and shall not extend beyond the sides of the structure. Decks on the corner lots shall be screened with fencing or vegetation to reduce visibility from the public street.
- (14) Fences:
- (a) Fences shall be fabricated of brick, iron, wood or metal pickets. Fence lines shall follow or run parallel to a property line in the front and half-depth front yards. Fences shall not obscure the front façade of the building.
 - (b) Fences located in the front or half-depth front yard shall not exceed four feet in height. Front yard fences may exceed four feet in height provided the height is no more than the height of the adjacent, contiguous fencing on immediately adjacent properties.
 - (c) Fences shall not exceed six feet in height when located in the side or rear yards.
 - (d) Chain link fabric is not permitted in a front yard or half depth front yard.
 - (e) Fences may be constructed on top of a retaining wall. The combined height of the retaining wall and fence shall not exceed six feet when located in a front or half-depth front yard.
 - (f) Walls are only permitted in the rear and side yards only when such yards are not adjacent to a public street and when such walls are located behind the rear façade of the principal structure. When such walls are permitted, they shall be six feet or less in height.

Per Section 16-26.003:

- (1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
- (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
 - (c) Such conditions are peculiar to the particular piece of property involved; and
 - (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

Sec. 16-28.008. - Required yards and open space, detailed limitations on occupancy.

In addition to general limitations on yard or open space occupancy set forth herein, the following limitations and requirements shall apply:

- (5) Walls or fences in required yards; height limits: Fences, walls or hedges may occupy required yards as follows; provided, however, that such fence, wall or hedge shall be maintained in a safe and sightly condition and that no such walls or fences create substantial impediments to visibility as prohibiting at section 16-28.008(9). The height of a retaining wall shall be measured as the greatest vertical length from one side of finished grade to the top of said adjacent retaining wall unless specified below.

- (e) Special exceptions on greater height of walls or fences in required yards: The board of zoning adjustment may grant special exceptions in any district for greater heights only upon finding that:
1. Such wall or fence is justified by reason of security or privacy and will not unduly prevent passage of light and air to adjoining properties and is not incompatible with the character of the neighborhood;
 2. Such greater height is justified by requirements for security of persons or property in the area;
 3. Such greater height is justified for topographic reasons; or
 4. Such greater height, in the yard or yards involved, is not incompatible with the character of the surrounding neighborhood.

6 ft. tall Privacy Fence / Wall

The District regulations require that only fences (not privacy fences / walls) are located in the front or half-depth front yard (i.e. the side yard facing the side street on a corner lot) and they be only 4 ft. tall. The existing fence is 6 ft. tall and is considered a wall by the Zoning Ordinance, given that it is less than 50% open.

In their justification, the Applicant sites the corner condition of the property, safety concerns regarding trespassing and burglaries, and a lack of privacy in the rear yard. The Applicant has documented several safety related incidents with copies of police reports noting trespassing, burglary, and vandalism. It is also clear that given the half depth front yard and rear yard are generally higher than the sidewalk and street, their privacy could be substantially reduced without the privacy fence.

As such, the Staff finds that the Applicant has met the criteria for having a privacy fence (i.e. wall) in the half-depth front yard and that the privacy fence / wall should be 6 ft. tall.

Deck

The District regulations require that decks do not extend beyond the sides of the existing house. The deck projects past the house about 7 ft. towards Culbertson Street. The outside edge of the deck is close to the property line and immediately adjacent to the sidewalk.

In their justification, the Applicant sites the corner condition of the property, safety concerns regarding trespassing and burglaries, and a lack of privacy in the rear yard. While the Applicant has documented several safety related incidents, it is not clear how extending the deck up to the edge of the sidewalk would address those concerns, given the presence of a 6 ft. tall privacy fence. Further, given the design of the screening on the deck, approaching the property from the east along Culbertson the people on the deck would be visible from the sidewalk or street. The Applicant mentions a "blind spot" that needs to be addressed, but given the location of the fence, it is not clear where such a blind spot would be located inside the fenced area.

The Applicant notes in their justification that there are various drainage problems across the back of the house. The Staff does not find that the deck (and in particular the portion of the deck that extends past the house) would alleviate this issue, particularly given that the Applicant has also created a concrete flume along the back of the house to carry the water towards Culbertson Street. It is not clear how the deck will also address the issue of mold and mildew along the back of the house, given that there are gutters installed on the house and the previously mentioned concrete flume.

As such, the Staff finds that the Applicant has not met the criteria for extending the deck past the sides of the house, particularly given the Staff's recommendation for approval of the 6 ft. privacy fence. The Staff would recommend that the deck be reconfigured to meet the District regulations.

Staff Recommendation: Based upon the following:

- a) Components of the project meet the variance and special exception criteria, per Section 160-26.003(1) and 16-28.008(5); and
- b) The project meet the regulations, with the exceptions noted in the above analysis, per Section 16-20G.006.

Staff recommends approval of an application for Type III Certificate of Appropriateness (CA3-14-269) for a variance for a fence and a deck that do not meet the District regulations at **1047 Oak Street**-Property is zoned R-4A/West End Historic District, with the following conditions:

1. The deck shall be reconfigured to meet the District regulations, per Section 16-20G.006(8); and
2. The Staff shall review and if appropriate, approve the final plans.



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Commissioner

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Director, Office of Planning

STAFF REPORT October 15, 2014

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-14-272) for alterations at 301 Orleans Street– Property is zoned R-5/Grant Park Historic District (Subarea 1).

Applicant: Louie R. Ingle III
301 Orleans Street

Facts: According to the Grant Park Inventory sheet this existing dwelling built in 1991 is considered non-contributing.

Analysis: The following code sections apply to this application:

Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

- (2) Certificates of Appropriateness.
- (B) Type III Certificates of Appropriateness shall be required for:
 - 1. All new principal structures;

Per Section 16-20K.007:

- (2) *Architectural Standards.*

(A) *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

- (B) *Design Standards and Criteria for New Principal Structures.*

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c).

15. On those facades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.

c. Siding/Veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone

shall be permitted. Stacked stone is prohibited.

(C) *Design Standards and Criteria for Alterations and Additions to Non-contributing Structures.* Alterations to non-contributing structures, for which a Certificate of Appropriateness shall be required, shall be consistent with and reinforce the architectural character of the existing structure or shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above.

In the Grant Park Historic District, only changes that face a public street are reviewed by the Commission. As this is a corner lot, Staff will make comments on all street facing facades.

The Applicant is proposing to repair or replace existing siding, molding and porch decking. As this house is non-contributing, Staff has no concerns regarding the destruction of historic materials. As such, Staff has no concerns regarding the repair or replacement of the existing siding, molding and porch decking. Staff would note that the Applicant is proposing to use tongue and groove on the porch as is appropriate for the district. The Applicant is proposing to use cementitious siding. Staff recommends the façade material used is smooth cementitious siding. Some of the siding will be repaired with in-kind materials. Staff has no concerns regarding in-kind repairs.

The Applicant is proposing to either wrap the existing columns or install new columns. As the existing columns are not historic, Staff has no concerns with wrapping or replacing the columns. In looking at the column choices submitted by Applicant, Staff finds the proposed columns are appropriate. Staff recommends the Applicant specify which column will be installed if the columns are replaced. The Applicant is proposing to replace the existing side stairs. While Staff has no concerns regarding the proposed replacement, Staff recommends the Applicant submit a site plan that indicates the proposed stairs. Staff further recommends the Applicant provide a detail for the proposed stair and railing replacement.

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;

Staff recommends approval of the application for a Type II Certificate of Appropriateness (CA2-14-272) for alterations at **301 Orleans Street**– Property is zoned R-5/Grant Park Historic District (Subarea 1), with the following conditions:

1. The façade material shall be smooth cementitious siding, per Section 16-20K.007(2)(C);
2. The Applicant shall specify which column will be installed if the columns are replaced, per Section 16-20K.007(2)(C);
3. The Applicant shall submit a site plan that indicates the proposed stairs;
4. The Applicant shall provide a detail for the proposed stair and railing replacement, per Section 16-20K.007(2)(C); and
5. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 15, 2014

Agenda Item: Application for a Review and Comment (RC-14-273) for site work at **171 Huntington Road** – Property is zoned R-4/ Brookwood Hills Conservation District.

Applicant: Tiara Crumby
1004 Glen Ivy, Marietta

Facts: According to the Brookwood Hills Inventory, the single-family dwelling was built in the 1950s and is considered non-contributing to the District. The Applicant proposes to replace the existing concrete driveway and courtyard in the back of the house with black asphalt.

Analysis: The following code sections apply to this application:

Per Section 16-20.007(b) of the Atlanta Land Development Code, as amended:

Conservation Districts Exempted: Certificates of appropriateness are not required for Conservation Districts. However, no person shall construct, alter, demolish or move, in whole or in part, any building, structure or site located within a Conservation District until the Commission shall have reviewed the proposed action(s) and made written recommendations regarding any such action to the owner(s) of the property.

Sec. 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

The Brookwood Hills Conservation District does not have specific architectural regulations similar to the City's Historic or Landmark Districts; therefore the Commission should refer to the "Further Standards" included in Chapter 20 of the Zoning Ordinance, which apply to all locally designated districts and properties.

The Staff finds that the existing concrete driveway (which could date to the construction of the house in the 1950s) is in need of extensive repair or replacement. The Applicant has proposed "topping" the existing broken and deteriorated concrete with black asphalt.

While there may be asphalt driveways or rear parking areas in the District that are paved with asphalt, the Staff doubts that any of them are from the historic time period of the District. The Staff further finds that asphalt paving will not be compatible with the historic character of the neighborhood, which overwhelmingly has concrete driveways and parking areas. Even taking into account the non-contributing status and later construction date of the property, the Staff is still concerned about the asphalt paving's effect on the streetscape character of Huntington Road.

In addition, the proposal does not appear to address the sidewalk material, how it should continue across the driveway (to give priority to the sidewalk user), vs. the driveway cutting off the sidewalk, or the proposal for the driveway apron. The Staff does not think that asphalt can be used for a City-standard driveway apron within the right of way.

Staff Recommendation: Staff recommends a letter with comments of the Commission be sent to the Applicant and the Office of Planning Application for a Review and Comment (RC-14-273) for site work at **171 Huntington Road** – Property is zoned R-4/ Brookwood Hills Conservation District.



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M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 15, 2014

Agenda Item: Application for a Review and Comment (RC-14-273) for site work at **11 Palisades Road** – Property is zoned R-4/ Brookwood Hills Conservation District.

Applicant: Ed Barkan
4006 Hill House Road, Smyrna

Facts: According to the Brookwood Hills inventory, the single-family dwelling was built in the 1920s and is considered contributing to the District. On a rear projecting portion of the house, the Applicant proposes to replace windows in a second floor sleeping porch and below in a mud room. On both levels, the existing exterior sheathing of the lower wall will be replaced with a wood panel system that will “to match the existing paneling at the front of the home.” Further, the Applicant is replacing a window with a door on the rear elevation.

There is also interior work that is not subject to review by the Commission.

Analysis: The following code sections apply to this application:

Per Section 16-20.007(b) of the Atlanta Land Development Code, as amended:

Conservation Districts Exempted: Certificates of appropriateness are not required for Conservation Districts. However, no person shall construct, alter, demolish or move, in whole or in part, any building, structure or site located within a Conservation District until the Commission shall have reviewed the proposed action(s) and made written recommendations regarding any such action to the owner(s) of the property.

Sec. 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.

- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

The Brookwood Hills Conservation District does not have specific architectural regulations similar to the City's Historic or Landmark Districts; therefore the Commission should refer to the "Further Standards" included in Chapter 20 of the Zoning Ordinance, which apply to all locally designated districts and properties.

Based on the limited information provided in the submission, the Staff finds that the upper level sleeping porch windows are original or historic to the house. It appears that the windows and door in the lower level mudroom were added likely in the 1940s or 1950s. It is not clear when the exterior sheathing / trim was installed or if the lower level windows and door replaced previous elements. Lastly, it appears that the lower level single window that will be replaced by a door is original or historic to the house.

While the Staff appreciates the Applicant's interest in improving the usability of the space and making it fully interior space, the Staff is concerned about the loss of historic fabric and developmental history of the house, particularly on the second level. The Staff is concerned that if the new wood paneling system does in fact match the front of the house, this work in particular could create a false sense of development / history to the house by virtually eliminating the ability to understand that a sleeping porch once existed on the back of the house. The Staff would recommend that the existing casement windows on the second floor be retained and refurbished, the lower level windows be different from those on the second level, and the new wood paneling system be slightly differentiated from the wood panels on the rest of the house.

While the replacement of the single window with a door will also likely mean the loss of historic fabric, the Staff finds that this is a better option than installing the new door in a completely new location, which would cause further damage to the historic fabric of the house.

Staff Recommendation: Staff recommends a letter with comments of the Commission be sent to the Applicant and the Office of Planning Application for an application for a Review and Comment (RC-14-273) for site work at **11 Palisades Road** – Property is zoned R-4/ Brookwood Hills Conservation District.



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M. KASIM REED
MAYOR

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55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
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www.atlantaga.gov

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 15, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-276) for alterations and a front porch addition at **464 Boulevard** - Property is zoned C-1 / Grant Park Historic District (Subarea 2) / Beltline.

Applicant: Philippe Pellerin
744 Hill Street

Facts: The 1910s or 1920s house is considered contributing to the District even though there have been some alterations to the house. The house has a slight “ell” to the front with a pyramidal roof and small front-facing gable over the ell. The front stoop is covered by a small shed roof that is not original or historic to the house. The Applicant proposes to:

1. Build a full width front porch based on the footprint of the Sanborn map and other similar houses in the District; and
2. Remove the front corners of the projecting “ell” portion of the house to reveal the original angled corners, including the windows contained therein.

The proposed project does not include any other alterations or additions to the house, nor any site work that is subject to review by the Commission.

Analysis: The following code sections apply to this application:

Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

(1) *General Criteria.*

- a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
- b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
- c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.

(2) *Certificates of Appropriateness.*

- c. Type III Certificates of Appropriateness shall be required for:
 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.

Section 16-20K.007. Specific Regulations - Residential Subarea I

(1) *Development Controls.*

- a. *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.
- b. *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven (7) feet.

(2) *Architectural Standards.*

- A. *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

B. *Design Standards and Criteria for New Principal Structures.*

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front façade and a minimum of seven feet in depth. Side porches shall be a minimum of four feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
4. All front façades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.
11. Any façades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.

D. *Design Criteria for Alterations and Additions to Contributing Structures.* Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:

1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or

2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

The District regulations allow for two approaches to reviewing proposed alterations and additions to contributing buildings. The first of the two requires consistency with the architecture of the existing building and compliance with the new construction regulations. The second of the two requires that no historic material be removed, the work be differentiated from the old, and be compatible with the existing building.

Front Porch Addition

The Staff finds that re-creating a previously existing porch meets the second of the two review approaches as to the footprint of the front porch. The first approach would require the front porch to be 8 ft. deep (as required by the new construction regulations), while the second approach requires that the front porch, among other criteria, be compatible with the existing house. Assuming that the proposed front porch has the same footprint as what is shown in the Sanborn Map, the Staff finds that it is by definition compatible as to its shape and footprint. Further the use of the Sanborn Map would also document compliance with the front yard setback requirement, given that the front porch footprint would match the previously existing, contributing front porch / house footprint. However, no copy of the Sanborn Map was provided with the Application.

The Staff would recommend the Applicant provide a scaled version of the referenced Sanborn Map and that the footprint of the proposed front porch match what is shown on the scaled version of the Sanborn Map.

As for the design of the front porch itself, the Staff has several concerns about it. First, the front porch appears to be on pressure treated wood piers and the front stairs appear to be open wood stairs, both of which are not compatible with the architectural features of the property given they would be similar to a rear yard deck. The Staff would recommend the front porch be on a continuous brick foundation and the front stairs be brick or concrete with brick cheek walls. Further, the columns, railings, and other architectural elements also appear to be pressure treated wood. This type of material, like the foundation and stairs, is more typical of a rear yard deck, not a front porch. While the Staff understands the need for sound and durable structural elements, leaving these exposed does not create a compatible appearance to the front porch. Further, the columns will likely appear too thin. The Staff would recommend that no pressure treated wood is visible from the public street when the front porch is complete and the size of the front porch columns is similar to original or historic columns on houses of the same architectural type in the District.

Front Corners of Bay

While the Staff acknowledges that angled corners of bays can be an element of houses of this architectural type, the Staff would recommend the Applicant provide photographic documentation from the interior that these angled corners exist on the subject property. The Staff would also recommend that any exterior treatments, trim, windows, and materials necessary to make the angled corners appropriate for exterior exposure meet the District regulations.

Staff Recommendation: Based upon the following:

1. The proposal meets the District regulations, per Section 16-20K.006 and 16-20K.007.

Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3-14-276) for alterations and a front porch addition at **464 Boulevard** - Property is zoned C-1 / Grant Park Historic District (Subarea 2) / Beltline, with the following conditions:

1. The Applicant shall provide a scaled version of the referenced Sanborn Map and that the footprint of the proposed front porch shall match what is shown on the scaled version of the Sanborn Map, per Section 16-20K.007(1);
2. The front porch shall be on a continuous brick foundation and the front stairs shall be brick or concrete with brick cheek walls, per Section 16-20K.007(2)(D)(2);
3. No pressure treated wood shall be visible from the public street when the front porch is complete and the size of the front porch columns shall be similar to original or historic columns on houses of the same architectural type in the District, per Section 16-20K.007(2)(D)(2);
4. The Applicant shall provide photographic documentation from the interior that these angled corners exist on the subject property, per Section 16-20K.007(2)(D)(2);
5. Any exterior treatments, trim, windows, and materials necessary to make the angled corners appropriate for exterior exposure shall meet the District regulations, per Section 16-20K.007(2)(D)(2);
6. The Staff shall review, and if appropriate approve, the final design and supporting documentation.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 15, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-278) for alterations at **665 Grady Place**- Property is zoned R-4A/West End Historic District.

Applicant: Adam Stillman
350 Sinclair Avenue

Facts: This existing house was built between 1880 and 1910. It is considered contributing.

In 2010 an application for a Type III Certificate of Appropriateness (HD-09-228) to allow an addition and renovations was approved with the following conditions:

1. The Applicant shall submit accurate site plans that indicate the existing and proposed conditions;
2. The roof shall be drawn accurately; and
3. Staff shall review and if appropriate, approve the final plans.

Analysis: The following code sections apply to this application:
Per Section 16-20G.005 of the Atlanta Land Development Code, as amended:
The following general regulations shall apply to the West End Historic District.

Sec. 16-20G.005. - General regulations.

(2) *The Compatibility Rule:* The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face, or where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

Sec. 16-20G.006. - Specific regulations.

In addition to the general regulations set forth in section 16-20G.005, and any other applicable regulations, the following regulations shall apply to all rehabilitations, new construction, alterations, and other changes:

(1) *Generally*: The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.

(2) *Building Façades*:

(a) All new construction shall conform to the existing building orientation by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.

(b) At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distance from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.

(c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.

(d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.

(e) Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.

(f) Height of the first floor of the front façade above grade shall be subject to the compatibility rule. Notwithstanding the compatibility rule, the first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than seven inches in height. Slab-on-grade construction is not permitted.

(g) No structure shall exceed that height established by the compatibility rule.

(3) *Windows and Doors*:

(a) Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.

(b) Original window and door openings shall not be blocked or enclosed, in whole or in part.

(c) Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size, with no more than a one-inch width or height difference from the original size. The use of simulated divided lite windows is permitted.

(d) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.

(e) The replacement and reconfiguration of windows on the side elevations to accommodate kitchens and bathrooms is permitted.

(f) Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.

(g) New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.

(h) The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule.

(i) The scale, size, proportion, and location of all openings in new construction shall be established by the compatibility rule.

(j) New windows or doors added to existing structures shall be located façades that don't face a public street.

(k) New or replacement doors shall be made of wood and shall contain a rectangular light opening subject to the compatibility rule as to its scale, size, proportion placement, and style to original doors within that block face.

(4) *Storm Doors, Storm Windows, Shutters and Awnings:*

(a) Shutters shall not be added to the building if they were not a part of the original building.

(b) Shutters shall be operable or appear operable, and shall fit the size of the window.

(c) Replacement shutters shall match the original shutters in design, materials and configuration.

(d) Storm doors, screen doors or storm windows shall be of compatible design and shall not cover, obscure or dominate significant architectural details.

(e) Fabric and metal awnings are permitted. All other types of canopies and awnings are prohibited.

(5) *Foundations:*

(a) Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.

(b) New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials and style with adjacent and surrounding buildings.

(c) Slab on grade is not permitted.

(d) Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.

(6) *Chimneys:*

(a) Chimneys shall match original materials, mortar, color and pattern whenever possible.

(b) New chimneys shall be faced with brick or stucco.

(c) Siding on chimneys is prohibited.

(d) When any portion of a chimney is visible from a public street as a façade element, the chimney shall originate at grade.

(7) *Roofs:*

(a) Replacement roofing materials shall be of the same size, texture and material as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.

(b) Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.

(c) The use of synthetic roofing materials is permitted if not visibly distinguishable from the original as viewed from the public street.

(d) The shape and pitch of roofs for new construction shall be subject to the compatibility rule.

(9) *Porches:*

(a) Architecturally significant porches, including their component features, steps and stoops shall be retained.

(b) Replacement porches, steps and stoops shall match the original in size, style and materials. All front porch steps shall have closed risers and ends.

(c) Porches may be enclosed with screen wire or glass provided that the main characteristics of a front porch are maintained.

(d) New or replacement porches shall contain balustrades, columns and other features consistent with the architectural style of the house or other original porches in that block. The height of the top rail shall be no more than 33 inches above the finish porch floor, except as required by the City's building code.

(17) *Public Sidewalks and Planting Strips:*

(a) Existing public sidewalks, planting strips, and associated topography shall be retained.

(b) The public sidewalk shall be the same width as the sidewalk on abutting properties.

(c) The compatibility rule shall apply to public sidewalk paving materials.

(d) Where a public sidewalk to be replaced is adjacent to poured concrete, original concrete hexagonal pavers or poured concrete with stamped hexagonal motif, the new sidewalk shall be poured concrete bordered with brick laid flat.

The Commission reviews alterations to any structure within the district, when said alterations can be seen from the public right-of-way. This is an interior lot, therefore Staff will only make comments on the alterations to the front and side facades.

The Applicant is proposing to add side gables in order to create additional living space in the existing attic. As the footprint is not impacted, Staff has no concerns regarding lot coverage. Per underlying zoning, the maximum floor area ratio (FAR) allowed is the lesser .65 or 3,750 sq. ft. Staff finds the proposed project meets the FAR requirements. Per underlying zoning, the minimum side yard setback allowed is 7'. The proposed dormers have a setback larger than 7' and therefore meet the requirements. There is no rear alterations proposed, therefore Staff has no concerns regarding the rear yard setback.

Staff finds the proposed gables have a slope, materials and fenestration that is appropriate and compatible. Staff has a concern regarding the size of both gables and the location of the gable on the right elevation. In general, Staff finds the gables are too large and should be altered to be lower than the existing ridgeline and as small as possible while allowing the required egress and headroom. Staff recommends both gables are lower than the existing ridgeline. Staff recommends both gables are altered to be as small as possible while allowing the required headroom and egress.

Staff has a concern the gable on the right elevation engages and detracts from the existing historic gable. Staff finds the most appropriate location for the right elevation gable is on the rear of the house. Staff recommends the Applicant provide information regarding whether a rear elevation gable or dormer is feasible. If a rear elevation gable or dormer is not feasible, Staff recommends the right elevation dormer be altered so that it does not engage or detract from the existing historic gable.

Staff Recommendation: Based upon the following:

- a) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20G.006.

Staff recommends approval of the Application for Type III Certificate of Appropriateness (CA3-14-278) for alterations at **665 Grady Place**- Property is zoned R-4A/West End Historic District, with the following conditions:

1. Both gables shall be altered to be as small as possible while allowing the required headroom and egress, per Section 16-20G.006(1);
2. The Applicant shall provide information regarding whether a rear elevation gable or dormer is feasible, per Section 16-20G.006(1);
3. If a rear elevation gable or dormer is not feasible, the right elevation dormer shall be altered so that it does not engage or detract from the existing historic gable, per Section 16-20G.006(1); and
4. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 15, 2014

Agenda Item: Application for Type II Certificates of Appropriateness (CA2-14-279) for alterations at **737 Cherokee Avenue**– Property is zoned R-5/Grant Park Historic District (Subarea 1)/Beltline.

Applicant: Adam Stillman
350 Sinclair Avenue

Facts: According to the Grant Park Inventory sheet this single family dwelling built in 1903 is considered contributing.

Analysis: The following code sections apply to this application:

Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

- (2) Certificates of Appropriateness.
- (B) Type III Certificates of Appropriateness shall be required for:
 - 2. All major alterations and additions to an existing structure, with respect to any façade that faces a public street.

Per Section 16-20K.007:

- (2) *Architectural Standards.*

(A) *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

- (B) *Design Standards and Criteria for New Principal Structures.*

- 1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c).
- 15. On those facades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.

c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited

(D) Design Criteria for Alterations and Additions to Contributing Structures. Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:

1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

In the Grant Park Historic District, only changes that face a public street are reviewed by the Commission. As this is a double frontage lot, Staff will comment on alterations to the Cherokee Avenue and August Place Elevations. Per regulations, Staff will make no comments regarding the alterations to the side facades or the design of the alterations to the accessory structure.

Site Work

The Applicant is proposing alterations to the existing single family dwelling and an existing accessory structure. For both the existing house and the accessory, the footprints will not change. As such, Staff has no concerns regarding the lot coverage. Per underlying zoning, the maximum floor area ratio (FAR) allowed is .50. The proposed FAR is .24 and therefore meets the requirements. Per regulations, the side yards can be either no less than 7' or no larger than the setbacks of the existing house. Staff finds the proposed alterations meet the side yard setback requirements. As there is no rear addition proposed, Staff has no concerns regarding the rear yard setback.

While Staff has no comments regarding the design of the alterations to the accessory structure, Staff has concerns the accessory structure is actually a dwelling unit. While duplexes are allowed by the underlying zoning, the units must be attached. Staff finds that having a dwelling unit in the accessory structure does not meet the underlying zoning requirements. Staff suggests the Applicant contact the Office of Buildings zoning staff to make sure the alterations to the accessory structure meets the underlying zoning requirements.

Alterations

On the August Place elevation, the Applicant is proposing to remove non-historic French doors and install a single door and a window unit. Staff has no concerns regarding the removal of the existing doors. Staff finds the proposed door and window unit are appropriate and meet the fenestration requirements.

The Applicant is proposing to remove the existing shed roof on a rear addition and replace it with a hipped roof. Staff has no concerns regarding the removal of the existing roof on the addition. Staff finds the design of the proposed roof is appropriate and meets the requirements. The Applicant is proposing to replace the existing multi-lite windows on the addition and replace them with a new 1 over 1 window. As the existing windows are not historic, Staff has no concerns with the window removal. Staff finds the new window is appropriate and meets the requirements.

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;

Staff recommends approval of the application for a Type II Certificate of (CA2-14-279) for alterations at **737 Cherokee Avenue**— Property is zoned R-5/Grant Park Historic District (Subarea 1)/Beltline, with the following condition:

1. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 15, 2014

Agenda Item: Review and comment (RC-14-280) on site work for **595 Magnolia Street (Vine City Park)** – Property is zoned SPI-11 (Subarea 7).

Applicant: Mathew Wilder
3500 Parkway Lane, Suite 600, Norcross

Facts: A conceptual design for the new park was created in November, 2005 through a visioning process lead by Park Pride. The park occupies an entire block and includes some challenging topography. For example, from the southwest corner of the block to the center of the Phase 1 development, the grade drops about 20 ft. Similar grade drops on the eastern side of the block create a “bowl” effect in the center of the block.

In 2008, the Commission reviewed and commented on Phase 1 of then relatively new park. Phase 1 included an open lawn, three garden rooms, a playground location, outdoor class room, and terraces.

Phase 2 of the park includes the expansion of the playground to the north, a terrace / exercise area, walkways, and slope stabilization and storm water improvements.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (4) The commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation or significant change, alteration or addition to any existing park.
- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

Per Section 16-20.009. Same; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

As noted previously, the Staff finds that the site has very challenging topography. The grades create difficult handicapped access and the conceptual master plan proposed a number of retaining walls, terraces, and stairs to create usable, level “pads”. At the same time, however, this topography creates opportunities that have been taken into account by the design team. For example, in Phase 1 the portion of the site with the steepest grades has become an outdoor class room with stepped seating. The Staff would also note that the conceptual master plan allowed for an orderly and efficient expansion of the park when funds and time permit, which is in fact happening with Phase 2 of the park.

Walkway / Terrace Area

Only minimal information is provided about the landscaping, including what appears to be a grove of trees in the walkway / terrace area and plantings around/in the rain garden. The Staff would recommend that the plantings in the walkway / terrace area create a higher canopy effect to both allow for good visibility into that portion of the park and to create additional shade for those using that portion of the park. The Staff would also recommend that the terrace wall, stairs and “stone bridge” use the same type of stone and installation technique as the existing walls and stairs in the park.

The one concern that the Staff had about the potential landscaping in its Phase 1 review was the ability to maintain the plantings. At that time there were numerous self-contained landscape areas which will likely require an irrigation system with numerous connections, outlets, spigots, etc. The implementation of the conceptual master plan in both Phase 1 and 2 has reduced those self-contained areas in favor are larger, connected elements of green space.

Rain Garden

The Staff would recommend that the rain garden be well defined through plantings and edging so that it is clear its design and purpose, rather than just an unkempt area of the park. This would also help create delineation from the open lawn immediately to the southeast. Further, assuming that the open lawn might be used for ball games or other active uses, having some sort of barrier between the lawn and the rain garden might help keep balls and people out of the rain garden.

Playground Expansion

The playground would expand to the north, maintaining the same terrace level. This would be achieved by extending the existing stone retaining walls using the same materials and installation technique. With this expansion, a previous concern by the Staff (the playground will “not likely accommodate the most elaborate and large-scale systems that are found in larger playgrounds around the City.”) has been addressed. The expansion would essentially double the playground area. No equipment or layout is shown for the playground expansion area.

Staff Recommendation: the Staff recommends that the Commission confirm the delivery of its comments at the meeting for an application for a Review and comment (RC-14-280) on site work for **595 Magnolia Street (Vine City Park)** – Property is zoned SPI-11 (Subarea 7).



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M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 15, 2014

Agenda Item: Review and comment (RC-14-281) on Visioning Plan / site work at **675 Waterford Road (Jennie Drake Park)** – Property is zoned R-3 / Collier Heights Historic District.

Applicant: Hannah Seaton / Ed Castro Landscape
1125 Old Ellis Road, Roswell

Facts: A Visioning Plan for the park was created in 2013 as part of a process lead by Park Pride. A new City park, it is mostly unimproved with lots of trees, under growth, and relatively steep slopes.

As with all other public park master plans, the Commission provides a review and comment on the master plan. Given the location of the park within a Historic District, the actual construction work will also be reviewed by the Staff or Commission via the corresponding Certificate of Appropriateness process, as necessary.

The initial work in the park (other than a City-standard park sign, clean up, and some landscaping work), includes a small brick entry plaza off of Waterford Road, with stone benches and trash cans.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (4) The commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation or significant change, alteration or addition to any existing park.
- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

Per Section 16-20.009. Same; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.

- (7) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Overall Comments

The Staff finds that the Visioning (which consists of a short report, project list, and graphic layout plan) is an easily comprehended document. Further, the Staff finds that for a park of this size and for the scope of work contemplated the use of a short report, project list, and graphic layout plan is an appropriate level of documentation. The Staff finds that such master planning efforts are necessary for all of the City's public spaces and in particular for the City's new parks to ensure that their development is well thought out from the beginning. In addition, the Staff thinks that the Park Pride visioning process was inclusive, well managed, and reflected a community-based approach to designing a park.

As the Staff has recommended in the past, parks need to be planned as a whole so that as public amenities they are sustainable and reflect the changing interests of the constituents they must serve. Pro-active management by the City and critical evaluation of future proposals will be important to balance the interests of all the users of the parks. To that end, the Staff finds that having a vision, goal, and/or set of priorities for the park's future is helpful in evaluating evaluate these future proposals.

The Staff knows that the suggested designs and site planning arrangements could change in the future based on funding, logistics, etc. At the same, the Staff would like to offer several comments about the Visioning Plan as a way to provide some basis for further refinement of the proposals therein if needed.

Through its review of sidewalk, park, and path projects throughout the City, the Staff has found that the following design characteristics have created the best results. First, the emphasis of the design, funding, and materials should be on any "vertical" components of the proposal (lights, signage, benches, bollards, public art, etc.). The Staff finds these elements create the greatest visual effect and difference in the user's experience. The "horizontal" elements of the proposal (hardscape, paving, curbing, ramps, etc.) should be simple and relatively common materials that accomplish the long-term goal of the proposal (i.e. increased general access, handicapped access, elimination of difficult grades, gathering spaces, etc.).

Second, all of the elements of the proposal and particularly the horizontal materials should be ones that are high quality, but easily maintained and replaced in the long term. For example, standard poured concrete, red brick, mulch, and natural granite in various combinations can create a variety of designs and at the same time are materials that are not hard to find or replace.

The Staff would add that it finds the low intensity, low impact design proposal is very appropriate for the type of park envisioned by the process participants and will fit well into the topography and natural attributes of the site.

Entry Plaza

The Staff finds that in addition to the plaza area being consistent with the Vision Plan; it is in keeping with the Staff's recommendation about the use of simple, but high quality materials to create easily maintained spaces.

Staff Recommendation: The Staff recommends that the Commission confirm the delivery of its comments at the meeting for an application on a Review and comment (RC-14-281) on site work / Visioning Plan at **675 Waterford Road (Jennie Drake Park)** – Property is zoned R-3 / Collier Heights Historic District.



KASIM REED
MAYOR

CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303
404-330-6145 – FAX: 404-658-7491
<http://www.atlantaga.gov/Government/Planning.aspx>

JAMES E. SHELBY
COMMISSIONER

CHARLETTA WILSON JACKS
DIRECTOR
Office of Planning

STAFF REPORT
October 15, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness / Certificate of Compliance (CA3-14-282) for alterations and an addition at **1194 North Avenue** – Property is zoned SPI-7 – (Subarea 2C)

Applicant: Gail Mooney
675 Lake Drive, Snellville

Facts: This single family dwelling was constructed in 2001 and is not considered historic.

Analysis: The following code sections apply to this application:

Per Section 16-18G.003 of the Atlanta Land Development Code, as amended:
Boundaries of the District and subarea established.

- (2) Subarea 2: This subarea is comprised of three separate areas, defined as those properties which have a front yard on the following streets:
- a. The west side of Page Avenue, the south side of Clifton Terrace, and the east side of Terrace Avenue;

Per Section 16-18G.004. General Regulations.

The following regulations shall apply to all properties located within the Candler Park Special Public Interest District, including all subareas of said district:

- (1) The provisions set forth in sections 16-18.005, 16-18.006 and 16-18.007 relating to requirements for special administrative permits shall not apply to the SPI-7 Candler Park District.
- (2) Any proposed amendment to this chapter shall be processed, considered and decided pursuant to the procedures and criteria contained in chapter 27 of this part. Prior to action by the zoning review board on any amendment affecting this district, said amendment shall first be referred by the director of the bureau of planning to the Atlanta Urban Design Commission so as to provide an opportunity for review and written comment on said proposed amendment.

Sec. 16-18G.006. - Residential subareas 2 and 3: specific regulations.

Subareas 2 and 3 together are identified as the residential subareas. In addition to the general regulations and provisions of this chapter, the following specific regulations shall apply to the residential subareas:

- (1) The specific regulations for the residential subareas shall consist of section 16-18G.006 through section 16-18G.0013.

(2) No building permit shall be issued by the bureau of buildings within the SPI-7 Candler Park District without the prior approval and issuance of a certificate of compliance from the Atlanta Urban Design Commission (AUDC). The purpose of this requirement is to assist the bureau of buildings with review of proposed permits for consistency with the requirements of sections 16-18G.006 through 16-18G.013 of this chapter. In addition to all materials otherwise required by the bureau of buildings, applications for building permits in these subareas shall include: a site plan at a minimum scale of one inch, equals 20 feet; typical building sections and exterior elevations at a minimum scale of one-fourth inch equals one foot; and outline specifications for all exterior building and landscaping materials. Larger scale drawings at appropriate scale shall be required of significant details when necessary for adequate review. Following transmittal of a complete application from the bureau of buildings to the AUDC, the AUDC shall review said application for consistency with the criteria and standards set forth in sections 16-18G.006 through 16-18G.013. The burden is on the applicant to demonstrate said consistency. If the application is consistent with said criteria and standards, it shall be approved and the AUDC shall issue a certificate of compliance certifying said compliance. The AUDC shall have the authority to impose conditions on said certificates as appropriate. If the application is not consistent with said criteria and standards, it shall be denied. Immediately following said action, the AUDC shall transmit the application together with its denial or approval to the bureau of buildings. The bureau of buildings shall then review the application for compliance with all remaining applicable provisions of this chapter and other applicable ordinances. No building permit shall be issued for any application that has not received the required certificate of compliance. Appeals from the final decision of the director may be taken pursuant to the provisions of section 16-30.010 to the board of zoning adjustment.

(3) All regulations as stated herein shall be minimum standards, which shall be followed and shall be applied. AUDC shall notify NPU-N of any variance application, and shall allow NPU-N a maximum of 45 days from the mailing date of such application to NPU-N, so that NPU-N may provide AUDC with written comments on such application.

(4) The Atlanta Urban Design Commission shall have the sole power to hear, grant, and deny variances from the provisions of this chapter 18G when, due to special conditions, a literal enforcement of its provisions in a particular case will result in an unnecessary hardship. The procedures, standards, criteria, and appeal provisions for decisions regarding such variances shall be the same as those specified in Chapter 26 of Part 16 of the Code of Ordinances, which provisions are hereby incorporated herein.

(5) The City of Atlanta Tree Ordinance shall apply.

(Ord. No. 1999-63, § 1, 12-15-98)

Sec. 16-18G.009. - Residential subareas 2 and 3: minimum yard requirements; maximum floor area ratio.

The following yard requirements shall apply to all permitted uses. Distances shall be construed as minimum requirements except where otherwise specifically indicated:

(2) Side yards:

a. Subarea 2: 7 feet.

(3) Rear yards: 7 feet. In Subarea 3 the rear yard shall be considered to be the yard adjacent to the adjoining single-family district.

(5) Maximum floor area ratio: The residential, or dwelling, floor area ratio shall not exceed 0.50.

Sec. 16-18G.011. - Residential subareas 2 and 3: architectural requirements.

In addition to the regulations and provisions of this chapter, and except as otherwise specifically provided herein, the following architectural regulations shall apply.

(3) *Standards and criteria.* The following standards and criteria shall apply to all new construction in the residential subareas:

d. The form and pitch of the roof of new construction shall be substantially proportional to the chosen architectural style.

h. Decks shall be located to the rear of a principal structure and shall not be visible from the public right-of-way.

k. The following aspects of fenestration, if visible from the public right-of-way upon completion, shall be substantially proportional to the chosen architectural style:

1. The style of the individual window.
2. The size and shape of the individual window opening.
3. The overall pattern of fenestration as it relates to the building façade.
4. Generally, fenestration shall be double hung.

m. The following building materials and design elements of new construction, if visible from the public right-of-way upon completion, shall be substantially characteristic of the chosen architectural style, and shall apply in addition to all other applicable regulations:

1. The dimensions of the exposed face of lap siding and wood shingles.
2. The type of brick and pattern of brickwork.
3. The type of stone and pattern of stone work.
4. The material and texture of stucco.
5. The dimensions and placing of architectural ornamentation and trim. This is not intended to require the exact reproduction of existing molding profiles.
6. The size and type of doors.
7. The materials and pattern of roofing.

8. Visible foundation materials. Foundations shall constitute a distinct building element and shall contrast with the primary façade siding material.

9. Visible portions of chimneys.

r. Grading shall not excessively or unnecessarily alter the existing topography of the site. New grades shall meet existing topography in a smooth transition. Erosion shall be prevented and runoff kept to a minimum.

The Applicant is proposing alterations and an addition at the rear of the property. Per regulations, the side and rear yard setback shall be no less than 7'. Staff finds the side and rear yard setbacks have been met. Per regulations, the maximum floor area ratio (FAR) allowed is .50. The proposed FAR is .50 and therefore meets the requirements. Staff would note that lot coverage is not regulated in this subarea.

The Applicant is proposing to convert an existing screened porch and deck into living space. In general, Staff finds the overall massing, materials and fenestration is consistent and compatible with the existing house. Staff initially had a concern regarding the window on the west elevation. In looking at pictures of the existing house and site, Staff finds it likely that most of the alterations and addition, including the west elevation window, will not be seen from the street. As such, Staff finds there will be no negative impact to the street. This house is not historic, therefore Staff has no concerns regarding a negative impact on historic fabric. Given the information we have at this time, Staff has no concerns regarding the proposed alterations and addition.

Based on the following:

- a) The plans, with exceptions noted above, meet the District regulations, per Section 16-18G.006;

Staff recommends approval of the application for a Type III Certificate of Appropriateness / Certificate of Compliance (CA3-14-282) for alterations and an addition at **1194 North Avenue** – Property is zoned SPI-7 – (Subarea 2C), with the following condition:

1. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

October 15, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-284) for the Landscape management Plant at **248 Oakland Avenue (aka 0 Memorial Drive) (Oakland Cemetery)** – Property is zoned Oakland Cemetery Landmark District.

Applicant: Historic Oakland Foundation
248 Oakland Avenue

Facts: In 2008, the Commission approved a Type II Certificate of Appropriateness application (LD-08-154) for an updated master plan for the Oakland Cemetery Landmark District.

Analysis: The following code sections apply to this application:

Sec. 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.

- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Sec. 16-20E.002. General regulations.

The following regulations shall apply to the entire Landmark District. All rehabilitation, restoration or new construction shall require a certificate of appropriateness from the Atlanta Urban Design Commission (AUDC). All proposed development shall conform to the following regulations:

1. Regulations shall be minimum standards which must be followed and shall be applied by the AUDC (section 16-20.008).
2. The AUDC shall further adopt and maintain guidelines that shall extend the intent of these regulations, further define elements of architectural landscape design and ensure the compatibility of future development and restoration within this Landmark District.
3. The power to hear, grant or deny variances from these regulations shall rest with the AUDC.
4. *Procedure for variance:* Upon a determination of the AUDC that an application for renovation or new construction is in conflict with the intent of these regulations and/or the guidelines, the AUDC shall institute procedures for public notification and public hearing as are specified similarly for the board of zoning adjustment (section 16-26.001). Notification shall include any government or nonprofit institution which has legitimate interest in the historic integrity of this Landmark District.
5. *Secretary's guidelines:* In addition to specific standards listed herein, the Secretary of the Interior's Standards for Historic Preservation Projects Part 1 shall be a part of these regulations and shall be applied by the AUDC.
6. *Landscaping criteria:*
 - (a) A certificate of appropriateness shall be required for any alteration to existing walks, walls or drives and the removal of trees or shrubs other than "volunteers" which endanger the movements, mausoleums, walls, paths and steps, or hamper pedestrian and vehicular circulation.
 - (b) Repairs to walks, walls and drives shall be done with matching materials, style and technique. The final result shall be of a quality equal to the original work and contiguous with adjacent masonry.
 - (c) Construction materials within the cemetery shall be limited to granite, marble, limestone, sandstone, molded concrete and brick.
 - (d) The use of gravel, marble chips and granite dust on grave surfaces is prohibited.
 - (e) A certificate of appropriateness shall be required for any alteration to the existing tree or shrub planting within Oakland Cemetery.
 - (f) The park-like character of Oakland Cemetery shall be maintained by the planting of high branching native hardwood trees, sufficiently spaced apart to maintain a light shade which is conducive to the growth of grass. Tree and shrub species selected for new planting shall be consistent with existing species within Oakland Cemetery. Evergreen species shall be planted selectively to create contrast and interest. Hybrid and exotic trees and shrub species shall be prohibited.
7. *Buildings, mausoleums and monuments:*
 - (a) Existing buildings in Oakland Cemetery consists of a watchhouse, the tower building, maintenance barns and public toilets. A certificate of appropriateness shall be required for the demolition or repair of any existing building.
 - (b) Repair of existing buildings shall be done with matching materials, style and technique. The final result shall be of a quality equal to the original work and contiguous with adjacent masonry.
 - (c) No additional buildings shall be allowed.
 - (d) All buildings in the Landmark District shall be subject to the provisions for demolition or removal of existing structures as specified in section 16-20.007(3) of this part.
 - (e) The Preservation Briefs #1 prepared by the Technical Preservation Services Division of the Office of Archeology and Historic Preservation and Recreation Service will be adhered to for the cleaning of all buildings and monuments and mausoleums.
8. It shall be mandatory for all parks and recreation personnel charged with the maintenance and upkeep of Oakland Cemetery to be made aware of the intent and specific content of these regulations. A copy of these regulations shall be maintained on the site with the supervisory staff responsible for the maintenance of Oakland Cemetery.

City personnel anticipating any activity to change the physical appearance or functional character of the landscape, drives, walks, walls, monuments, mausoleums, planting or buildings of Oakland Cemetery shall initiate such activity only upon approval of the AUDC as specified in this part.

In 2008, the Oakland Cemetery master Plan was reviewed and approved by the Commission. The master plan included an exhaustive physical inventory of the cemetery (i.e. topography, materials, structures, signage, markers, entrances, funerary objects, walls, fences, landscape and hardscape elements, adjacent uses, etc.), as well as a description of the cemetery's cultural and historic significance. Staff found the master plan clearly defined a set of long-term and short-term objectives and recommendations that would guide future decision

making regarding physical, programmatic, and management proposals. As indicated in the executive summary, “One of the recommendations of the master plan was the creation of a landscape management plan which provides direction on how to best treat the fragile and dynamic landscape.”

Landscape Policies

Staff finds the landscape policies section provides a clear overview of the character areas, the plant selection criteria, the idea of the cemetery as an arboretum and groundcover and turf management. Specifically, Staff found the following ideas were expressed:

- Changes to the landscape will be made within the context of each character area.
- The cemetery will use methods of rehabilitation as opposed to preservation or restoration. This change in terminology is to reflect both the installation of appropriate plant material and the elimination of inappropriate plant material.
- Plant selection will take into account historic accuracy relative to a lot's immediate context, needs of lot owner, long term care, historic landscape character of the cemetery and preservation of grave sites.

Landscape Treatments

Staff finds the landscape treatment section provides excellent information and direction as to how the individual lots within each character area are to be maintained and rehabilitated. This portion of the plan takes each character area and provides a summary, a historical overview, an existing conditions assessment, priorities, recommended plant palette and treatment guidelines. Staff finds the information in the landscape treatment section provides very clear direction as to how future landscape projects are to be reviewed and approved.

Conclusions

In general, Staff finds the proposed landscape master plan is an excellent, comprehensive, well-prepared, and easily comprehended document. Staff has no concerns regarding the methodology, policies or guidelines proposed. Staff finds the specificity of the landscape treatments and the additional information in the resources section, provides Staff with clear guidelines for review and will ultimately lead to better and more appropriate project results. Given the information we have now, Staff finds the regulations could be revised to allow for administrative reviews for certain types of landscape projects.

Staff Recommendation: Based upon the following:

- a) The Commission previously adopted the “2008 Master Plan” for Oakland Cemetery;
- b) The Commission is charged with “adopt[ing] and maintain[ing] guidelines that shall extend the intent of [the District] regulations, further define elements of architectural landscape design and ensure the compatibility of future development and restoration within this Landmark District” and the Staff considers this master plan a vehicle in which to meet this regulation, per Section 16-20E.002(2); and
- c) The Oakland Cemetery Landscape Master Plans follows the “Secretary of the Interior's Standards for Historic Preservation Projects Part 1”, as amended, per Section 16-20E.002(5).

The Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-14-284) for the Landscape Management Plan – Property is zoned Oakland Cemetery Landmark District.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

August 13, 2014

Updated

October 15, 2014

(updated information in italics)

Agenda Item: Application for a Type III Certificates of Appropriateness (CA3-14-221) for a special exception to allow a fence at the front of the property, to allow an accessory structure between the building and the street, and to allow a deck on the front façade of the structure *and (CA3-14-285) for alterations and an addition* at **420 Edgewood Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4)/Beltline.

Applicant: Juan Martinez
2112 Hosea Williams Drive

Facts: This existing building was built in 1912 and is considered contributing.

The Applicant submitted a Type II Staff Review application (CA2S-14-211) for proposed alterations to the building and site. While a special exception is required for some of the proposed alterations, the review of the design of the proposed alterations will be covered by the Staff Review and are not in the purview of the Commission.

On August 13, 2014, CA3-14-221 was deferred due to a lack of quorum.

On August 27, 2014, this application was deferred to allow the Applicant time to apply for an additional application for an addition.

Analysis: The following code sections apply to this application:

Sec. 16-20C.004. General regulations

The following general regulations shall apply to all properties within the Martin Luther King, Jr. Landmark District, except where otherwise stated.

1. General criteria. The Commission shall apply the standards set forth below only when the standards set forth elsewhere in Chapter 20C do not specifically address the application in whole or in part:
 - a. A property shall be used for its historic purpose or be placed in a new use authorized in Section 16-20C.005 using minimal change to the defining characteristics of the building and its site and environment.

- b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
 - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
2. The compatibility rule.
- a. Block definitions. The following words and terms, when used in this chapter, shall have the meanings ascribed to them in this section:
 - i. Block. An area of land located within a continuous perimeter of public streets. An individual block shall begin at the back edge of curb of the adjacent street. Interstate 75/85, when no intervening street exists, shall be permitted to count as an adjacent street for purposes of meeting this definition, beginning at the edge of the adjacent 75/85 right-of-way.
 - ii. Block face. One side of a block, located between two consecutive street intersections.
 - b. The intent of these regulations is to ensure that alterations to existing structures and new construction are compatible with the massing, size, scale, and architectural features of each Subarea and of the immediately adjacent environment of a particular block or block face. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question, such as roof form or architectural trim, shall match that which predominates:
 - i. On contributing buildings of like use along the same block face in Subareas 1 and 2.
 - c. Where quantifiable, such as building height or floor height, the element shall be no smaller than the smallest or larger than the largest such dimension of the contributing building(s) along the same block face in Subareas 1 and 2 and on individual blocks in Subareas 3 and 4.
 - d. Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
 - e. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
 - f. For new construction of single-family or two-family dwellings, the final average finished grade of the lot shall be no higher than the highest grade level existing prior to such construction or related land disturbance at any point along the front yard property line adjacent to the public right-of-way. The intent and purpose of this grade provision is to prevent manipulation of grade levels in order to construct a taller dwelling than would otherwise be authorized.
 - g. Whenever individual block faces in Subareas 1 and 2 or individual blocks in Subareas 3 and 4 are void of contributing structures, the contributing structures located on the opposing block face shall be utilized for purposes of adhering to compatibility rule provisions. If the opposing block face is void of contributing structures, the contributing structures on the nearest block face along the same street frontage shall be utilized.
3. Certificates of Appropriateness.
- a. General Provisions.
 - i. The procedures for determining the correct type of Certificate of Appropriateness shall be those specified in Section 16-20.008, except as otherwise provided herein.

- ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
- c. Type III Certificates of Appropriateness. The following Type III Certificates of Appropriateness shall be reviewed by the Commission and shall be required for:
 - i. All new principal structures;
 - v. Variances, special exceptions and administrative appeals.
- 8. Variances, special exceptions and administrative appeals.
 - a. Variance applications and applications for special exceptions and administrative appeals from these regulations shall be heard by the Commission. The Commission shall have the authority to grant or deny variances from the provisions of this Chapter pursuant to the procedures, standards, and criteria specified in Section 16-26.001 through Section 16-26.006. The Commission shall have the authority to grant or deny applications for special exceptions from the provisions of this Chapter pursuant to the procedures, standards and criteria specified in Section 16-25.001 through Section 16.25.005. The Commission shall have the authority to grant or deny applications for administrative appeal pursuant to the standards in Section 16-30.010 (a) through (d).
 - b. Appeals from final decisions of the Commission regarding variances, special exceptions and administrative appeals shall be as provided for in Section 16-20.010.
- 9. Prohibited variances. Notwithstanding any provision in this chapter or part to the contrary, no variance from this chapter's maximum building height requirements shall be permitted or authorized by the Commission, Commission Staff or any other Board, official or entity.
- 10. Time period of historical significance. Where referenced in this chapter, the time period of historical significance for the district shall be the lifetime of Martin Luther King, Jr. (1929-1968).

Sec. 16-20C.008. Design Standards.

- 1. The following Design Standards provisions shall apply to Subareas 1 through 4.
 - a. Building Compatibility.
 - i. All elements of new construction shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
 - ii. The compatibility rule shall apply to a principal structure's general façade organization, proportion, scale, roof form, pitch and materials, door and window placement, and other architectural details including but not limited to brackets, decorative trim, corner boards, bottom boards, fascia boards, columns, steps and attic vents.

Per Section 16-26.003:

- (1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
 - (c) Such conditions are peculiar to the particular piece of property involved; and
 - (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

Alterations and Additions

The Applicant has provided a detailed narrative of all the proposed alterations and additions. As noted in the special exception section below, most of the project will be reviewed by Staff and is not within the purview of the Commission. As such Staff will only comment on the addition and general concerns regarding access to the building.

The Applicant is proposing an addition on the side of the existing building. The Applicant did not provide a site plan, therefore Staff cannot confirm the setbacks meet the requirements. Staff recommends the Applicant provide a properly scaled site plan. Staff recommends the Applicant provide documentation the setback requirements have been met. Staff would note there are no lot coverage or floor area ratio requirements in this subarea.

Per regulations, the maximum building height is 1.5 times what the compatibility rule allows. As the existing contributing building is two stories and the proposed addition is one story, Staff finds the proposed height meets the requirements. Staff has concerns regarding the design of the roof. Staff finds the proposed roof design is not consistent or compatible with the existing historic building or other similar buildings on the block. Staff recommends the parapet continue all the way across the building or the proposed roof should have a similar design as the existing historic building.

While Staff has no concerns regarding the overall massing or materials of the proposed addition, Staff finds the lacks of fenestration is not appropriate. In looking at the contributing buildings on the block, most are defined by having a door and a significant amount of windows. Per regulations, fenestration shall be based on the compatibility. Additionally, a minimum of 60% of the length of the building shall contain fenestration. Staff finds the fenestration as proposed does not meet the compatibility rule or the 60% requirement. Staff recommends the elevations are revised to indicate fenestration that meets the requirements.

In general, one of the intents of the regulations is to have sidewalk level development that creates “vibrant and pedestrian oriented sidewalks and streets”. In looking at the floor plan, the addition will accommodate a bathroom on the front façade and there will be no access to or from the street. There is a door on the front façade of the main building, however it is not an actual entrance and cannot be used for access to the building. While Staff has no purview over the interior layout, Staff finds the building must have a main entrance on the front of the building on Edgewood Avenue. In looking at the other historic buildings on this block of Edgewood, all the buildings have main entrances that can be accessed from Edgewood Avenue. Staff recommends the plans be revised to indicate a front entryway with access to the building on Edgewood Avenue.

Variance Requests

The Applicant has not submitted updated information regarding the special exception request (CA3-14-221). As such, Staff retains all of its comments and recommendations.

Deck

In looking at the plans, there appears to be a deck that faces Jackson Place and therefore requires a variance. The Applicant has indicated this area is not a deck, however there is no written explanation regarding this area. Staff recommends the Applicant provide documentation the rear seating area that faces Jackson Street is not a deck. Staff recommends the deck portion of the variance is eliminated.

Accessory Structures

There is an area at the corner of the property on Jackson Street that is indicated as a band/stage area. As this area is between the street and the building, a variance is required. According to the Applicant, this area is not properly labeled and will actually be a raised earthen area and not a band/stage area. As this is not actually a structure, Staff has no further comments regarding the raised earthen area.

The Applicant is proposing to place a dumpster at the corner of the property on Jackson Place. As the dumpster is located between the building and the street, a variance is required. As this is a double frontage lot, Staff acknowledges that appropriately placing the dumpster on the lot would likely require a variance. While Staff is generally supportive of the variance, Staff finds that having the dumpster right at the street is not appropriate. Staff finds the dumpster could be appropriately so that it is not right on the street. Staff recommends the dumpster be located farther away from Jackson Place.

Fence/Wall

In looking at pictures submitted by the Applicant, the existing property has a chain link fence. The Applicant is proposing to remove the existing chain link fence and install a 6' wall on both Edgewood Avenue and Jackson Place. As the regulations do not allow fences or walls in front yards or where visible from the public view, a special exception is required.

According to the Applicant, a privacy fence is needed on the Edgewood Avenue elevation due to the 6' drop from the sidewalk. The change in the topography can be clearly seen from the pictures submitted. Staff agrees that a fence is needed at this location for safety reasons. Staff would note that a privacy fence is actually a wall and not generally allowed in front yards. While Staff is supportive of a fence on the Edgewood elevation, Staff finds that a wall is not appropriate. Staff recommends a fence is installed on the Edgewood Avenue location.

The Applicant is proposing to install a privacy fence at the Jackson Place elevation. It is not clear why the Jackson Place elevation requires a fence. The safety issue on Edgewood does not exist on Jackson Place. Staff does not find that privacy is an issue as this is a business and a public place. The issue of security is not clear. While Staff could support a special exception due to reasons of security, more documentation is needed to show that security is an issue at this property. Staff recommends the Applicant provide documentation that a fence is needed at the Jackson Place elevation for security reasons.

Staff Recommendations: Based upon the following:

Staff recommends approval of an Application for a Type III Certificates of Appropriateness (CA3-14-285) for alterations and an addition at 420 Edgewood Avenue - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4)/Beltline., with the following conditions:

- 1. The Applicant shall provide a properly scaled site plan, per Section 16-20C.007(3);***
- 2. The Applicant shall provide documentation the setback requirements have been met, per Section 16-20C.007(3);***
- 3. The parapet shall continue all the way across the building or shall have a similar design as the existing historic building, per 16-20C.008(1)(a)(ii);***
- 4. The elevations shall be revised to indicate fenestration that meets the requirements, per Section 16-20C.008(1)(a)(ii), 16-20C.008(1)(b) and 16-20C.008(3)(d);***
- 5. The plans shall be revised to indicate a front entryway with access to the building on Edgewood Avenue, per Section 16-20C.008(1)(a)(ii) and 16-20C.008(1)(b)(i)(3); and***
- 6. Staff shall review and if appropriate, approve the final plans and documentation.***

Staff Recommendations: Based upon the following:

- a) One of the accessory structure variances is not required;
- b) The Applicant has proven a hardship regarding the dumpster; and
- c) The Applicant has proven a hardship regarding the fence.

Staff recommends approval of an Application for a Type III Certificates of Appropriateness (CA3-14-221) for a special exception to allow a fence at the front of the property, to allow an accessory structure between the building and the street, and to allow a deck on the front façade of the structure at **420 Edgewood Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4)/Beltline, with the following conditions:

1. The Applicant shall provide documentation the rear seating area that faces Jackson Street is not a deck, per Section 16-20C.004(8)(a);
2. The deck portion of the variance shall be eliminated, per Section 16-20C.004(8)(a);
3. The dumpster shall be located farther away from Jackson Place, per Section 16-20C.004(8)(a);
4. A fence shall installed on the Edgewood Avenue elevation, per Section 16-20C.004(8)(a);
5. The Applicant shall provide documentation that a fence is needed at the Jackson Place elevation for security reasons, per Section 16-20C.004(8)(a); and
6. Staff shall review and if appropriate, approve the final plans and documentation.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 15, 2014

Agenda Item: Application for a Type II Certificates of Appropriateness (CA2-14-286) for a revision to plans at **615 Auburn Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline.

Applicant: Monica Woods / Joe Brown
2814 Oxford Drive, Decatur

Facts: Earlier this year, the Commission approved with several conditions a new two story house at this location. The proposed house, which is now under construction, faces Auburn Avenue with driveway access across the property at 619 Auburn Avenue to a small back yard and parking area. The original design included a small deck along the rear façade of the house facing the small back yard. The Applicant proposes to replace that deck with a one-story screened porch.

No other changes are proposed to the house, its footprint, overall height, or the site plan.

On June 11, 2014, the District regulations were comprehensively revised via Z-14-09. The original design review of this house was completed in March, 2014 and the building permit application was submitted in April, 2014. As such was permitted under the previous design regulations. The components of the design included in the revision to plans submission (i.e. the deck to porch conversion) will be reviewed under the new and now current design regulations for the District.

Analysis: The following code sections apply to this application:

Sec. 16-20C.004. General regulations

The following general regulations shall apply to all properties within the Martin Luther King, Jr. Landmark District, except where otherwise stated.

1. General criteria. The Commission shall apply the standards set forth below only when the standards set forth elsewhere in Chapter 20C do not specifically address the application in whole or in part:
 - a. A property shall be used for its historic purpose or be placed in a new use authorized in Section 16-20C.005 using minimal change to the defining characteristics of the building and its site and environment.
 - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

- f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
2. The compatibility rule.
- a. Block definitions. The following words and terms, when used in this chapter, shall have the meanings ascribed to them in this section:
 - i. Block. An area of land located within a continuous perimeter of public streets. An individual block shall begin at the back edge of curb of the adjacent street. Interstate 75/85, when no intervening street exists, shall be permitted to count as an adjacent street for purposes of meeting this definition, beginning at the edge of the adjacent 75/85 right-of-way.
 - ii. Block face. One side of a block, located between two consecutive street intersections.
 - b. The intent of these regulations is to ensure that alterations to existing structures and new construction are compatible with the massing, size, scale, and architectural features of each Subarea and of the immediately adjacent environment of a particular block or block face. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question, such as roof form or architectural trim, shall match that which predominates:
 - i. On contributing buildings of like use along the same block face in Subareas 1 and 2.
 - c. Where quantifiable, such as building height or floor height, the element shall be no smaller than the smallest or larger than the largest such dimension of the contributing building(s) along the same block face in Subareas 1 and 2 and on individual blocks in Subareas 3 and 4.
 - d. Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
3. Certificates of Appropriateness.
- a. General Provisions.
 - i. The procedures for determining the correct type of Certificate of Appropriateness shall be those specified in Section 16-20C.008, except as otherwise provided herein.
 - ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - b. Type II Certificates of Appropriateness.
 - ii. Type II Certificates reviewed by the Commission. All required Type II Certificates of Appropriateness not listed above shall be reviewed by the Commission. In addition, the following shall be reviewed by the Commission as a Type II Certificate of Appropriateness:
 - (1) Alterations to any façade of any principal structure;

Sec. 16-20C.007. Sidewalks, Yards and Open Space.

- 2. The following additional Yards provisions shall apply to Subareas 1 and 2.
 - b. Subarea 2.
 - i. Except as provided below, all front, side and rear yard setbacks shall be established through utilization of the compatibility rule. All new construction shall maintain a minimum of 10 feet for rear yard setbacks where the compatibility rule would permit a smaller rear yard setback, except as otherwise provided for accessory structures.
 - ii. Within the portion of Subarea 2 lying along the southeastern side of Auburn Avenue east of Randolph Street, and along the eastern side of Randolph Street south of Auburn Avenue, the following development controls shall apply:
 - (1) Side yard: Three (3) feet.
 - (2) Front yard: Seven (7) feet.
 - (3) Rear yard: 25 feet.

Sec. 16-20C.008. Design Standards.

- 1. The following Design Standards provisions shall apply to Subareas 1 through 4.
 - a. Building Compatibility.

- i. All elements of new construction shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
- ii. The compatibility rule shall apply to a principal structure's general façade organization, proportion, scale, roof form, pitch and materials, door and window placement, and other architectural details including but not limited to brackets, decorative trim, corner boards, bottom boards, fascia boards, columns, steps and attic vents.
- iii. Fiberglass roofs shall be prohibited.

As noted above, the review of the original design of the house, including the then proposed rear deck, was completed under the previous District regulations.

The previous regulations required architectural consistency and compatibility with the house itself, as well as the houses on the approved block used for the point of comparison. The current regulations essentially require the same standard. In this case, the proposed screened porch could meet the current regulations depending in the specific materials of the proposed screen porch. The Staff would recommend that the screened porch materials meet the District regulations, including the use of smooth cementitious siding, wood trim and architectural elements, and asphalt roof shingles.

The previous regulations required seven (7) ft. side yard setbacks and a 10 ft. rear yard setback. The Commission approved a reduction in the side yard setbacks to 4 ft. allowing the house and the deck to be that distance from the side property lines. The house and deck met the 10 ft. rear yard setback without the need for a variance.

The current regulations have different setback requirements for properties along the southeastern side of Auburn Avenue to the east of Randolph Street. The side yard setbacks are now three (3) ft. and the rear yard setback is now 25 ft. As the proposed screened porch would introduce more structure into this portion of the property then the rear deck (i.e. increasing the level of non-conformity in relation to the new regulations), the components of the proposed screen porch that would be beyond those included in the already permitted rear deck would have to meet the current setback requirements.

While the side yard setbacks of three (3) ft. are met by the proposed screen porch, the rear yard setback of 25 ft. is not. The rear yard setback would be measured from the portion of the screened porch that is closest to the rear property lines (i.e. those property lines that create a "v" shape at the rear of the property). The Staff would recommend that the previously permitted rear deck be retained in the house design, the proposed screened porch be revised to meet all of the current District requirements, or the Applicant apply for a variance to reduce the rear yard setback requirement.

Staff Recommendations: Based upon the following:

1. The plans meet some of the regulations, per Section 16-20C.007, and .008;

Staff recommends approval of an application for a Type II Certificates of Appropriateness (CA2-14-286) for a revision to plans at **615 Auburn Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline, with the following conditions:

1. The screened porch materials shall meet the District regulations, including the use of smooth cementitious siding, wood trim and architectural elements, and asphalt roof shingles, per Section 16-20C.008(1)(a); .
2. The previously permitted rear deck shall be retained in the house design, the proposed screened porch shall be revised to meet all of the current District requirements, or the Applicant shall apply for a variance to reduce the rear yard setback requirement, per Section 16-20C.007(2)(b); and
3. The Staff shall review, and if appropriate, approve the final plans, elevations, and supporting materials.



KASIM REED
MAYOR

CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303
404-330-6145 – FAX: 404-658-7491
<http://www.atlantaga.gov/Government/Planning.aspx>

CHARLETTA WILSON JACKS
DIRECTOR
Office of Planning

STAFF REPORT
October 15, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-287) for the construction of a new single family house at **879 Lullwater Parkway** - Property is zoned Druid Hills Landmark District.

Applicant: Elizabeth Hackney – John Wesley Hammer Construction Company
118 Barry Street, Decatur

Facts: In 2012, the Commission approved the demolition of the previously existing house at this location (CA4ER-12-269).

The Applicant proposes to build a new, 1.5 story house with an attached garage and partial basement. The existing driveway curb cut will provide access to a curved driveway up to the house and attached garage. The property has a considerable slope from the street grade, rising almost 50 ft. to the rear property line.

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code, as amended:

- (a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:
 - (3) Landmark Districts:
 - c. To erect any new structure or to make an addition to any structure within a Landmark District.

Per Section 16-20.009:

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Per Section 16-20B.003:

The following general regulations shall apply to the entire district which includes both (1) the Ponce de Leon Corridor (2) Fairview Road, and (3) Springdale/Oakdale/Lullwater. Any proposed development shall require a certificate of appropriateness from the urban design commission and shall conform to the following regulations:

- (1) Minimum off-street parking requirements:
 - a. Off-street parking will not be permitted in any front yard nor in any side yard within 50 feet of a street line, except for Moreland Avenue, where a 60-foot limit shall apply. For the purpose of this parking regulation, the front yard shall be that area between the street line and the forward line of the principal structure.
 - b. No off-street parking shall be located within 20 feet of any lot line except as may be authorized by the Atlanta Urban Design Commission under section 16-20B.004(5).
 - c. Parking space requirements: Parking areas on the lot with adequate access to a public street and with adequate circulation space shall be constructed of a material which will assure a surface resistant to erosion and shall be maintained permanently as follows:
 2. For single-family dwellings: Two (2) spaces per dwelling unit.
- (3) Minimum landscaping requirements: The overall quality of the landscaped area visible from public ways should be preserved as an integral part of the historic character of Druid Hills, and the following regulations shall apply to all parcels located within the district:
 - a. A certificate of appropriateness shall be required for the clearance or removal of any tree with a caliper of four (4) inches or greater and shrub massings or hedges over three (3) feet high.
 - b. All trees with a caliper of four (4) inches or greater as measured four (4) feet above the ground, outside of the building site which are cleared for any reason, shall be replaced with trees having a minimum caliper of one and one-half (1 ½) inches.
 - c. A certificate of appropriateness shall be required for any major change in the landscape which is visible from the public right-of-way. Removal or changes in topography, walls (retaining or freestanding), and fences shall constitute a major change.
 - e. Which shall read as follows: “(3)(e.) Any construction in the Druid Hills Landmark District shall maintain the general landscaping scale and character reflected in the original development of Druid Hills in order to preserve the historic landscape character of the district. Landscape changes visible from the public right-of-way shall require a Certificate of Appropriateness and shall follow the standards set forth by the Secretary of the Interior. These standards, *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes*, are designed to assist individual property owners in the formulation of plans for maintenance and continued use of historic properties and landscapes.”
- (4) *Minimum drainage controls*: Structures shall be located so as to preserve the natural terrain of the district. Proper drainageways shall be provided to prevent increased water runoff and erosion, siltation of streams or flooding of property as required by the department of public works.
 - a. No structure shall be permitted within any 100-year floodplain.
 - b. No single-family structure shall be constructed on natural slopes greater than 25 percent.
 - c. No structure other than single-family shall be permitted on slopes greater than 15 percent.
- (5) *Minimum architectural controls*: Any construction in the Druid Hills District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district.

Exterior architectural changes shall follow the standards set forth by the secretary of the interior. The secretary of the interior's standards for historic preservation projects are designed to assist individual property owners formulate plans for the development and continued use of historic properties. Separate guidelines are given for each of seven (7) treatments. (Refer to the Secretary of the Interior's Standards of Historic Preservation Projects.)

Sec. 16-20B.006. Springdale/Oakdale/Lullwater

The following regulations shall apply to any proposed development on any property located on Springdale Road, Oakdale Road, Lullwater Road or Lullwater Parkway:

- (1) Permitted principal uses and structures:
 - a. Single-family dwellings.
 - b. Parks, playgrounds and community buildings owned and operated by a governmental agency.
- (3) Minimum lot requirements:
 - a. Lot width: Each lot shall have a minimum lot width of 100 feet.
 - b. Lot area: Each lot shall contain a minimum lot area of 38,000 square feet.
- (4) Lot coverage: Lot coverage for all structures, parking and driveways shall not exceed 35 percent of the lot area.

(5) Minimum yard requirements:

a. Setbacks:

7. East side of Lullwater Parkway, to city limit:

- a. Front yard: 140 feet.
- b. Side yards: 25 feet.
- c. Rear yard: 100 feet.

(6) Maximum height: No building shall exceed a height of 35 feet.

Secretary of the Interior Standards for Treatment of Historic Properties

- 1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
- 2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
- 3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
- 4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
- 5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- 6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
- 7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- 8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
- 9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- 10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Lot Configuration

While the lot as shown on the survey and site plan exceeds the minimum lot frontage and minimum lot size required for this portion of the District, the overall configuration is slightly different from what is shown on the City's plat maps. The Staff would note that generally speaking such differences need to be resolved prior to any permits being issued by the City for work on the property. The Staff would suggest that the Applicant address these issues at the same time as the finalization of their permit / construction drawings.

Overall Development Controls

The site plan does indicate if any trees will be removed as part of the construction. The Staff would recommend the Applicant document any tree removal and subsequent compliance with the tree replacement requirements of the District, as well as the City's Tree Ordinance.

While the survey does have a note about "special flood hazards", the Staff would recommend that the Applicant confirm that no structure will be located within the 100 year flood plain.

It is not clear that the proposed house will not be built on any natural slope exceeding 25%, though the Staff would note that the vast majority of the house will occupy the former footprint and somewhat level building pad of the demolished house. Nonetheless, the Staff would recommend the Applicant provide a slope analysis of the site to confirm that the house will not be placed on any 25% natural slope.

The proposed house includes three off-street parking spaces located within the attached garage. The District regulations restrict off-street parking within 20 ft. of any property line. The garage and associated parking court are more than 25 ft away from any property line. However, the District regulations also prohibit any parking in any front yard, which is defined as “that area between the street line [i.e. the front property line] and the forward line of the principal structure”. The forward most point of the proposed house is the projecting (but connected) screen porch area. A portion of the parking court is located forward of the front edge of this screen porch area. As such, that portion of the parking court does not meet the District regulations. The Staff would recommend that the portion of the parking court forward of the front edge of the screened porch be removed from the proposed design.

No lot coverage calculation was included in the submission. The Staff would recommend the Applicant document that the lot coverage for all structures, parking and driveways does not exceed 35 percent of the lot area.

The proposed house and all accessory structures that would be subject to the District’s setback requirements, meet those requirements. The Staff would note that retaining walls, site stairs, patios, and in-ground water features do not need to meet the setback requirements.

Site Plan Design Analysis

Apart from the more technical site plan requirements noted above, the Staff does have some concerns about the amount of paving and improved spaces in front of the house. While the Staff acknowledges that the site’s topography and woodland landscape will make it difficult to see the front yard landscape and hardscape features from the street, it is concerned about the size and variation in levels (three levels are designed) to the entry terrace. There are examples of entry terraces in the District, but not generally of this size and complexity. Generally speaking, the front yards of houses in the District consist of natural or planned landscaping and a driveway. The Staff would recommend that the front entry terrace be simplified in design and reduced in size.

In addition, it is not clear to the Staff the height of the retaining walls around the front entry terrace and small lawn area. Recognizing the sloping site would likely require some retaining walls to create some usable outdoor space, these retaining wall needs to be the shortest height possible to emphasize the natural and planned landscaping of the front yard. The Staff would recommend the retaining walls in the front yard are reduced in height.

Architectural Analysis

The District regulations call for any construction in the District to “maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district.” As such, the Staff finds that the proposed new construction should be an architectural style and form found in the historic houses in the District. Further, the Staff finds that if the architectural style and form of the proposed house is in the District, the architectural style should either be very similar to the examples found in the District or be very similar to those found in generally accepted references, such as A Field Guide to American Houses, by Virginia and Lee McAlester, which was used by the Staff in this situation.

In reviewing the proposed house, the Staff finds that is closest in architectural style to a Tudor or English Vernacular style of house. There is no question that there are numerous examples of such houses in the District, which tend to have a variety of massing / overall shapes, roof form, and fenestration patterns. These styles of houses can and often have varied and articulated massing, steeply pitched and/or swooping roofs, side-to-side ridges lines, accent gables, grouped or ganged windows, bay windows, dormers and other roof plane projections, prominent chimneys, and a mix of exterior materials (including brick, stone, stucco, half-timbering, and slate).

The overall height of the proposed house meets the District limitation of 35 ft.

While the Staff acknowledges that the house itself will have somewhat limited visibility from the street, the Staff finds that its style and form must meet the District regulations. In general, the Staff finds that the house exhibits many of the qualities of a Tudor or English Vernacular style house.

As for the garage with doors on the front façade, the Staff finds that given its extreme front overhang, architectural detailing, placement on the site, the site topography, and relationship to the main house, the garage compatible with the proposed design and meets the District regulations.

Regardless, it does have some concerns about other aspects of the proposed design.

First, even though the house meets the quantitative height requirement, the Staff is concerned about the expansive and roof plan on the main house, and coupled with the large roof plane over the attached garage, the perceived overall width of the house. Even taking into account that in the District these house styles tend to be wider than other styles and the proposed house meets the setback requirements, the proposed house will be 142 ft. wide from the projection on the right side of the house to the left side of the garage.

Without removing floor area, the Staff finds that the perceived length of the house and the dominance of the roof planes can be reduced by revisions to the roof shape. For example, the roof of the main house could incorporate clipped gables (a feature found on Tudor and English Vernacular style houses), the pitch of the roof section between the house and garage could be lowered, and the pitch of the roof slope over the garage could be lowered and clipped gables added to it. Also, the dormers could be varied / added and accent gables incorporated / expanded. These potential revisions could also help separate the garage massing from the house massing making it appear more “detached” from the house than it really is. The Staff would add that of any of the house styles found in the District, these house styles would accommodate varied roof pitches the best. The Staff would recommend that the roof forms and slopes be revised to reduce the roof’s perceived size and uniformity, and the perceived length of the house.

Second, even though these house styles often incorporate grouped or ganged windows and/or French doors, the Staff is concerned about the window and door grouping in the middle of the house. At the main level there are four French doors (a doors total), while immediately above that there are four casement windows, and immediately above that four accent windows. While the French doors are in a different plane than the windows above, the combined effect of this pattern is the creation of a window wall, which is not compatible with these house styles or similar houses found in the District. The Staff would recommend the French door / casement window / accent window grouping on the front façade be revised to eliminate the perception of a window wall.

Third, but related to the window wall concern is the stacked design of the bathroom windows on the second level in relation to the roof dormer above them. While the use of small “accent” windows is typical of these house styles, the Staff is concerned that the stacked design will make them look to regimented and symmetrical. The Staff would recommend the placement of the individual second level windows and roof dormers be revised to eliminate the stacked effect of the design.

Fourth, it would appear that the roof of the extreme right hand portion of the house will be essentially flat with a parapet wall. While there are examples of such roof configurations on portions of these styles of houses, they are more unusual and do not normally depart so drastically from the materials of the main house. In this case, all of the rest of the house is stone, while this portion is shiplap, cedar siding. Further, there is not a window on the front façade, creating a blank wall that combined with the drastic change in materials increases its visual presence within the design. The Staff would recommend that the shiplap sided projection on the right side of the house be re-designed to be more internally consistent with the house design.

Staff Recommendation: Based upon the following:

1. Components of the proposed house style and form does not meet the District regulations, per Section 16-20B.005; and
2. The potential changes to the house style and form recommended by the Staff, taken together, could result in a house with a different overall appearance, but increased compatibility with the District regulations.

Staff recommends deferral of the application for a Type III Certificate of Appropriateness (CA3-14-287) for the construction of a new single family house at **879 Lullwater Parkway** - Property is zoned Druid Hills Landmark District, to allow time for the Applicant to address the following concerns and comments:

1. The Applicant shall document any tree removal and subsequent compliance with the tree replacement requirements of the District, as well as the City’s Tree Ordinance, per Section 16-20B.003(3);
2. The Applicant shall confirm that no structure will be located within the 100 year flood plain, per Section 16-20B.003(4)(b);
3. The Applicant shall provide a slope analysis of the site to confirm that the house will not be placed on any 25% natural slope, per Section 16-20B.003(4)(b);
4. The portion of the parking court forward of the front edge of the screened porch shall be removed from the proposed design, per Section 16-20B.003(1)(a);
5. The Applicant shall document that the lot coverage for all structures, parking and driveways does not exceed 35 percent of the lot area, per Section 16-20B.006(4);
6. The front entry terrace shall be simplified in design and reduced in size, per Section 16-20B.003(5);
7. The retaining walls in the front yard shall be reduced in height, per Section 16-20B.003(5);
8. The roof forms and slopes shall be revised to reduce the roof’s perceived size and uniformity, and the perceived length of the house, per Section 16-20B.003(5);
9. The French door / casement window / accent window grouping on the front façade shall be revised to eliminate the perception of a window wall, per Section 16-20B.003(5);
10. The placement of the individual second level windows and roof dormers shall be revised to eliminate the stacked effect of the design, per Section 16-20B, per Section 16-20B.003(5);
11. The shiplap-sided projection on the right side of the house shall be re-designed to be more internally consistent with the house design, per Section 16-20B.003(5); and
12. The Applicant shall provide to the Staff all additional documents, information and materials (including the required number of copies) no less than eight (8) days prior to the Commission to which this application is deferred.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

October 15, 2014

Agenda Item: Application for a Review and Comment (RC-14-316) on additions and alterations at **140 West Wieuca Road (Chastain Park)** – Property is zoned R-3.

Applicant: Chastain Park Conservancy
4001 Powers Ferry Road

Facts: Chastain Park is located in the East Chastain Park neighborhood in NPU B. In 2008, the Commission commented on a reviewed and comment application (RC-08-031) on a master plan for Chastain Memorial Park. The proposed project is located on the corner of Lake Forrest Drive and West Wieuca Road.

Analysis: The following code sections apply to this application:
Per section 6-4043 of the Atlanta City Code, as amended:

(4) The Commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation of significant change, alteration or addition to any existing park.

Per Section 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial

evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

- (6) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

In this part of Chastain Park there are four existing athletic fields, a gymnasium and a parking area. The project in question involves the addition of a ball park pavilion in an area indicated as a future field. In looking at the 2008 master plan, the ball park pavilion is not indicated on the site plan or in the narrative. While the proposed pavilion is not specifically indicated in the master plan, Staff finds it is appropriate as an accessory to the future ball field.

In looking at the other fields on the site plan, dugouts and batting cages are indicated, but no similar pavilions. Staff suggests the Applicant clarify whether there are other similar pavilions in the ball field area. Staff suggests the Applicant clarify why a pavilion is proposed for this area instead of the batting cages and dugouts that are associated with the other adjacent athletic fields.

In general, Staff finds the design and materials of the proposed structure are consistent with other similar structures in other parts of Chastain Park. The Applicant submitted pictures of the proposed structure under construction, however it is not clear how the structure fits within the specific site. Given its close proximity to Lake Forrest Drive, it would also be helpful to have a better sense of how the structure relates to the street. Staff suggests the Applicant provide additional pictures of the site and pictures taken from Lake Forrest Drive to provide a better context for the proposed structure.

As part of the project, an additional section of sidewalk will be added to connect to the walkways that lead to the other fields. Staff finds the addition of the sidewalk is appropriate and needed in order to have access from Lake Forrest Drive. Staff has no concerns regarding the proposed sidewalk. Given the information we have at this time, Staff finds the addition of the ball park pavilion and sidewalk will be a great amenity for this area of Chastain Park.

Staff recommends the Commission deliver its comments at the meeting.